

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
LYNCHBURG DIVISION

L.E.A. by her next friend Danisha Parker,
B.A. by her next friend Vicky Hairston,
K.A. by his next friend Vicky Hairston,
C.A. by his next friend Donna Mayhew,
D.A. by his next friend Donna Mayhew,
K.A. by his next friend Tara Brown,
C.C. by her next friend Shannon Carper,
M.C. by her next friend Danisha Parker,
K.C. by her next friend Bridgett Craghead,
K.C. by her next friends Barbara Hall and John Hall,
A.C. by her next friend Marionette Lipscomb and Jason Crider, Jr.,
J.E. by his next friend Nancy Lipcomb,
S.F. by her next friend Trina Brown,
A.H. by his next friend Chris Camyin,
A.H. by his next friend Chris Camyin,
N.G. by her next friend Terry Hubbard,
C.H. by his next friend Terry Hubbard,
S.H. by her next friends Mae Langhorne and Trinette Langhorne,
P.H.L. by her next friends Mae Langhorne and Trinette Langhorne,
A.M. by her next friend Ryan Martinez,
E.M. by his next friend Ryan Martinez,
K.M. by her next friend Annie Mae Craghead,
M.M. by her next friend Barbara Craghead,
S.Q. by her next friend Sheila Quarles,
C.Q. by his next friend Sheila Quarles,
N.R. by her next friend Sheila Austin,
L.S. by her next friend Sheri Saul aAnd Marchello Toms,
B.S. by his next friend Rhonda Overstreet,
A.S. by his next friend Lindsay Haynes,
S.S. by her next friend Lindsay Haynes,
K.S. by her next friend Desiree Hedrick,
C.S. by his next friend Jenna Stovall,
K.S. by her next friend Lindsay Haynes,
and
A.H. by her next friend Anna Hagen,

Plaintiffs,

v.

Case No. _____

BEDFORD COUNTY SCHOOL BOARD,
DOUGLAS SCHUCH, Superintendent, Bedford County Public Schools,

GARY HOSTUTLER, Chairman, Bedford County School Board,
JULIE M. BENNINGTON, Vice Chairman, Bedford County School Board,
RICHARD P. DOWNEY, Member, Bedford County School Board,
KELLY HARMONY, Member, Bedford County School Board,
JOHN H. HICKS, JR., Member, Bedford County School Board,
JASON W. JOHNSON, Member, Bedford County School Board,
and
KEVIN WILLIS, Member, Bedford County School Board,

Defendants.

NOTICE OF REMOVAL

Defendants Bedford County School Board, Douglas Schuch, Superintendent, Bedford County Public Schools, Gary Hostutler, Chairman, Bedford County School Board, Richard P. Downey, Member, Bedford County School Board, Kelly Harmony, Member, Bedford County School Board, John H. Hicks, Jr., Member, Bedford County School Board, Jason W. Johnson, Member, Bedford County School Board, and Kevin Willis, Member, Bedford County School Board (collectively “the School Board”), by counsel and pursuant to 28 U.S.C. §§ 1441, 1446, 1331, and 1343, file this Notice of Removal removing this action to this Court from the Circuit Court for Bedford County, Virginia. In support of its Notice, the School Board states:

1. Plaintiffs filed a Complaint against the School Board in the Circuit Court for Bedford County, Virginia, seeking damages and injunctive relief under Title II of the Americans with Disabilities Act, 42 U.S.C. §§ 12131 *et seq.*, the Equal Protection Clause of the Fourteenth Amendment under 42 U.S.C. § 1983, and Title VI of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000d *et seq.* Together with this Notice, the School Board is filing copies of all process, pleadings, and orders served on it pursuant to 28 U.S.C. § 1446(a).

2. This Notice is filed within 30 days of service of the Complaint on the School Board, pursuant to 28 U.S.C. § 1446.

3. This civil action is one over which this Court has original jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1343 and 42 U.S.C. §§ 1983 and 12133.

4. The School Board has given notice of the filing of this Notice to counsel for the Plaintiffs and to the Circuit Court for Bedford County.

5. This Court embraces the place where the state court action is pending.

BEDFORD COUNTY SCHOOL BOARD,
DOUGLAS SCHUCH, Superintendent, Bedford
County Public Schools,
GARY HOSTUTLER, Chairman, Bedford County
School Board,
JULIE M. BENNINGTON, Vice Chairman,
Bedford County School Board,
RICHARD P. DOWNEY, Member, Bedford
County School Board,
KELLY HARMONY, Member, Bedford County
School Board,
JOHN H. HICKS, JR., Member, Bedford County
School Board,
JASON W. JOHNSON, Member, Bedford County
School Board,
and
KEVIN WILLIS, Member, Bedford County School
Board,

By: /s/ Jim H. Guynn, Jr.
Jim H. Guynn, Jr. (VSB # 22299)
Michael W. Lockaby (VSB #74136)
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Counsel for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on June 22, 2015, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, and I hereby certify that I have mailed by United States Postal Service the document to counsel for Plaintiff:

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Counsel for Plaintiff

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